IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

TUESDAY, THE 14TH AUGUST 2007 / 23RD SRAVANA 1929

Bail Appl..No. 4990 of 2007()

CRMP.11059/2007 of J.M.F.C.-II,THRISSUR

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CRIME NO.171/2007 OF NEDUPUZHA POLICE STATION

PETITIONER/13TH ACCUSED

SHIJU, AGED 24 YEARS,
S/O.MANI, PADATHIPARAMBIL HOUSE,
HERBERT NAGAR, NEDUPUZHA DESOM,
KANIMANGALAM VILLAGE,
THRISSUR TALUK.

BY ADV. SRI.NAGARAJ NARAYANAN
SRI.SAIJO HASSAN
SRI.A.S.SABU
SRI.RAJAN VELLOTH

RESPONDENTS: STATE

STATE OF KERALA
REPRESENTED BY THE PUBLIC PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM.

BY PUBLIC PROSECUTOR ADV.SRI.S.U.NAZER

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION ON 14/08/2007, THE COURT ON THE SAME DAY PASSED THE FOLLOWING:

R.BASANT, J

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B.A.No.4990 of 2007

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Dated this the 14th day of August, 2007

ORDER

Application for regular bail. Petitioner is the 13th accused. He faces allegations along with co-accused for offences punishable, inter alia, under Sec.302 IPC. An earlier application for regular bail filed by the petitioner was dismissed by this Court as per order dated 3.08.07 in B.A.No.4652/20074. I have adverted facts in detail in the said order. This order must be read in continuation of the said order.

2. The petitioner remains in custody from 28.06.07. Specific overt acts are not alleged against him. He is alleged to have passed on the information about the movements of the deceased from time to time to enable the principal accused to track the victim and mount the murderous attack on him. The learned counsel for the petitioner submits that the petitioner who remains in custody from 28.06.07 may now be released on bail. The learned Public Prosecutor opposes the said prayer.

3. I shall carefully avoid any detailed discussion on merits about the acceptability of the allegations or the credibility of the data collected. Suffice it to say that on an anxious consideration of all the relevant inputs including the nature and gravity of the allegations,

stage of investigation etc., I am not persuaded to grant regular bail to the petitioner at this early stage. Investigators in a serious crime like this are certainly entitled to further time to complete the investigation.

4. In the result, this petition is dismissed. However, I may hasten to observe that the petitioners shall be at liberty to move this court or the Sessions court for bail again at a later stage of the investigation not, at any rate, prior to 24/08/2007. The police shall, in the meantime, make every endeavour to complete the investigation.

(R.BASANT, JUDGE)

sj

/TRUE COPY/

P.A.TO JUDGE